

PATENT
ATTORNEY DOCKET NO.: 046124-5060

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents
BOX PATENT APPLICATION
Washington, D.C. 20231



**TRANSMITTAL FOR A NEWLY EXECUTED ORIGINAL
APPLICATION UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a CIP Patent Application under 37 C.F.R. § 1.53(b) for:

Inventors: Hirofumi MIYAJIMA, Hirofumi KAN, Toshio NAITOH, Hirokazu OHTA, and Takeshi KANZAKI

For: HEAT SINK AND SEMICONDUCTOR LASER APPARATUS AND SEMICONDUCTOR LASER STACK APPARATUS USING THE SAME

1. This is a new Utility Design Plant patent application.

2. The papers enclosed to obtain a filing date are as follows:

28 Pages of Specification including

0 Title Page

4 Pages of Claims

1 Page of Abstract

11 Sheets of drawings containing 19 Figures

The enclosed drawing(s) are photograph(s), and there is also attached a PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)

3. Combined Declaration and Power of Attorney

Enclosed and is executed by all inventors.

Not Enclosed.

This application is being filed under the provisions of 37 C.F.R. § 1.53(f).

Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

4. Language

 English Non-English

This application is being filed in accordance with 37 C.F.R. § 1.52(d) and § 608.01 of the MPEP. Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the verified English translation and the processing fee.

5. Assignment

 An assignment of the invention to Hamamatsu Photonics K.K. is enclosed. An assignment will be filed at a later date.

6. Priority - foreign applications under 35 U.S.C. § 119(a)-(d) or § 365(b) or PCT international applications under 35 U.S.C. § 365(a) designating at least one country other than the U.S.

 Priority of the following foreign applications is claimed:

| Country | Application No. | Filed |
|---------|-----------------|-----------------|
| Japan | 10-231575 | August 18, 1998 |
| | | |
| | | |

Certified copy(ies): is/are attached. will follow.

7. Priority based on an International Application

 Priority of the following international application under 35 U.S.C. § 365(c) is claimed:

| Application No. | Filed |
|-----------------|----------------|
| PCT/JP99/01968 | April 13, 1999 |
| | |

A. Relate Back - 35 U.S.C. § 119(e)

Amend the specification by inserting before the first line the sentence:
 "This application claims priority of copending provisional application(s)
 No. _____ filed on _____."

8. Small entity status

A statement claiming small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.

9. Fee Calculation (37 C.F.R. § 1.16)

| CLAIMS FOR FEE CALCULATION | | | | |
|---|--------------|--------------|----------------|-------------------------------------|
| | Number Filed | Number Extra | at Rate of | Basic Fee |
| Total Claims (37 C.F.R. § 1.16(c)) | 19 - 20 = | 0 | \$ 18.00 each= | Utility \$710.00 Design \$320.00 |
| Independent Claims (37 C.F.R. § 1.16(b)) | 1 - 3 = | 0 | \$ 80.00 each= | \$ |
| Multiple dependent claim(s), if any (37 C.F.R. § 1.16(d)) | | \$270.00 | + | |
| SUB-TOTAL = | | | | \$710.00 |
| Reduction by 1/2 for filing by a small entity | | | | - \$ |
| TOTAL FILING FEE = | | | | \$710.00 |

10. Fee Payment

Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**

This application is being filed under the provisions of 37 C.F.R. § 1.53(f).
 Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

[X] Enclosed.

Two checks in the amounts of \$710.00 and \$40.00 representing the basic filing fee (\$710.00) and recordation of Assignment fee (\$40.00) are enclosed.

11. [X] **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

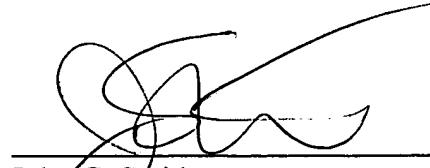
12. Additional papers enclosed:

[] Preliminary Amendment
[X] Information Disclosure Statement
[X] International Search Report (second sheet)
[X] PTO Form-1449 and four (4) references
[X] Submission of Priority Document with certified copy JP 10-231575

Please accord this application an application number and filing date.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP


John G. Smith
Reg. No. 33,818

Dated: February 2, 2001

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